

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2016 Legislative Session**

Bill No. CB-6-2016

Chapter No. 1

Proposed and Presented by The Chairman (by request – County Executive)

Introduced by Council Members Davis, Turner, Glaros, Taveras and Patterson

Co-Sponsors \_\_\_\_\_

Date of Introduction March 15, 2016

**BILL**

1 AN ACT concerning

2 Swimming Pools

3 For the purpose of amending the Prince George’s County Code to comply with new safety  
4 standards for hotel and motel pools under 2,500 square feet of water within Prince George’s  
5 County; generally relating to the regulation of swimming pools

6 BY repealing and reenacting with amendments:

7 SUBTITLE 5. BUSINESSES AND LICENSES.

8 Section 5-224,

9 The Prince George's County Code

10 (2015 Edition).

11 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
12 Maryland, that Section 5-224 of the Prince George's County Code be and the same is hereby  
13 repealed and reenacted with the following amendments:

14 SUBTITLE 5. BUSINESSES AND LICENSES.

15 DIVISION 17. SWIMMING POOLS AND PUBLIC SPAS.

16 SUBDIVISION 4. SUPERVISION.

17 **Sec. 5-224. Supervision of public swimming pools; lifeguards required.**

18 (a) Except as provided in subsections (b) and (c) it [It] shall be unlawful for any person to  
19 operate or permit to be operated within the County a public swimming pool unless such pool is  
20 under the prompt supervision of duly licensed swimming pool operator and under the actual and  
21 direct supervision of that number of qualified public swimming pool lifeguards as indicated

1 below.

2 \* \* \* \* \*

3 (b) The provisions of subsection 5-224(a) do not apply to a pool with a water surface area  
4 of under 2,500 square feet located within or outside a building that has a permit issued by Prince  
5 George’s County to operate as a hotel or motel, meets all State regulations, including COMAR  
6 10.17.01.40F and of the following provisions:

7 (1) The size, color, design, application, symbol, and visual layout of a safety sign is in  
8 compliance with the ANSI Z-535 series of standards for Safety Signs and Colors as  
9 referenced in American National Standard for Public Spas;

10 (2) A spa safety sign is posted in a permanent location adjacent to a spa in compliance  
11 with the American National Standard for Public Spas;

12 (3) The spa safety sign includes the user load of the spa;

13 (4) A chemical warning sign is posted at the entrance door to a chemical storage area and  
14 includes the text "Caution! Chemical Storage Area";

15 (5) A chemical vat, feeder, pump, and line is labeled to identify the chemical in use;

16 (6) A chlorine gas warning sign reading "Danger--Chlorine Gas" is posted at the  
17 entrance to a chlorine gas feed room and storage area;

18 (7) Other warning, health advisory, and safety signs are posted if necessary to protect the  
19 public health and safety, for example, "Danger! No Diving In Shallow Water";

20 (8) A semipublic pool or public spa that does not have a lifeguard on duty has a  
21 conspicuous sign posted adjacent to entrances to the pool or spa reading "WARNING;  
22 NO LIFEGUARD ON DUTY. SWIM AT YOUR OWN RISK. DO NOT SWIM  
23 ALONE. CHILDREN UNDER 15 SHOULD NOT USE THE POOL WITHOUT  
24 ADULT SUPERVISION."; and

25 (c) In addition to meeting the above requirements and the provisions of COMAR  
26 10.17.01.40F, a pool with a water surface area of under 2,500 square feet that is located in or  
27 outside a building that has a use and occupancy permit to operate as a hotel or motel and that  
28 meets a description of the provisions set forth in subsection 5-224(b) must have a conspicuous  
29 sign posted adjacent to entrances to the pool or spa reading:

30 “CHILDREN UNDER THE AGE OF 15 ARE NOT PERMITTED TO USE THE POOL  
31 WITHOUT ADULT SUPERVISION.”

1 [b] (d) The County Health Officer has the authority to make adjustments in the foregoing  
 2 schedule when deemed necessary and practicable and when such adjustment will not present a  
 3 hazard to the public health or safety of persons using a pool.

4 [c] (e) Swimming pools shall be maintained in a clean, sanitary and safe manner at all  
 5 times. All bathhouse supplies such as paper towels and toilet paper shall be available at all  
 6 times.

7 [d] (f) All structures and equipment at swimming pools shall be maintained in good  
 8 repair at all times.

9 [e] (g) For every pool a daily operating record shall be kept including pH, chlorine  
 10 residual, number of bathers, time of recording, pressure differential (if applicable), and flow rate  
 11 which shall be made available for checking by the County Health Officer during each inspection.

12 [f] (h) A data sheet containing all operational data, particularly the pool volume, rate of  
 13 flow, turnover rate, backwashing procedure, and for DE pools, pre-coat procedure shall be  
 14 posted at the pool for all pools included in the operation. All valves shall be tagged or otherwise  
 15 marked to follow the data sheets.

16 [g] (i) At no time shall there be more swimmers in the pool than the number the pool  
 17 was designed for.

18 [h] (j) No person shall be permitted in the pool who has an obvious or known infection,  
 19 cut, abrasion, or open blister.

20 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby  
 21 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,  
 22 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of  
 23 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining  
 24 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this  
 25 Act, since the same would have been enacted without the incorporation in this Act of any such  
 26 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,  
 27 or section.

28 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect on forty-five (45)  
 29 calendar days after it becomes law.

Adopted this 5<sup>th</sup> day of April, 2016.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Derrick Leon Davis  
Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Rushern L. Baker, III  
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.

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